

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY
Caption in Compliance with D.N.J. LBR 9004-1(b)

770522
PHELAN HALLINAN DIAMOND & JONES, PC
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856-813-5500
Attorneys for SANTANDER BANK, N.A.

In Re:

DOMINIC M. DELA ROSA



Order Filed on April 26, 2017

by Clerk

U.S. Bankruptcy Court
District of New Jersey

Case No: 16-1774-VFP

Judge: Vincent F. Papalia

Recommended Local Form:



Followed



Modified

ORDER RESOLVING MOTION TO VACATE STAY AND/OR MOTION TO DISMISS WITH CONDITIONS

The relief set forth on the following pages, numbered two (2) ^{through four (4)} ~~and three (3)~~ is hereby **ORDERED**.

DATED: April 26, 2017

A handwritten signature in black ink, appearing to read "Vincent F. Papalia".

Honorable Vincent F. Papalia
United States Bankruptcy Judge

Applicant: SANTANDER BANK, N.A.
Applicant's Counsel: Phelan Hallinan Diamond & Jones, PC
Debtor's Counsel: JAMES C. ZIMMERMANN, Esquire
Property Involved ("Collateral"): 5 LOCKWARD ROAD, CALDWELL, NJ 07006-5710

Relief sought: ☒ Motion for relief from the automatic stay
☐ Motion to dismiss
☐ Motion for prospective relief to prevent imposition of automatic stay against the collateral by debtor's future bankruptcy filings

For good cause shown, it is **ORDERED** that Applicant's Motion(s) is (are) resolved, subject to the following conditions:

1. Status of post-petition arrearages:

- ☒ The Debtor is overdue for 1 month, from 04/01/2017.
- ☒ The Debtor is overdue for 1 payment at \$2,768.80 per month.
- ☐ The Debtor is assessed for _____ late charges at \$ _____ per month.
- ☒ Applicant acknowledges suspense balance in the amount of \$164.88.

Total Arrearages Due \$2,603.92.

2. Debtor must cure all post-petition arrearages, as follows:

- ☒ Immediate payment shall be made in the amount of \$2,603.92. Payment shall be made no later than 04/30/2017.
- ☒ Beginning on 05/01/2017, regular monthly mortgage payments shall continue to be made.
- ☐ Beginning on _____, additional monthly cure payments shall be made in the amount of \$ _____ for _____ months.
- ☐ The amount of \$ _____ shall be capitalized in the debtor's Chapter 13 plan. The debtor's monthly payment to the Chapter 13 Trustee is modified to be \$ _____ per month.

3. Payments to the Secured Creditor shall be made to the following address(es):

☒ Immediate payment:

SANTANDER BANK, N.A.

601 PENN STREET
READING, PA 19601

☒ Regular Monthly payment:

SANTANDER BANK, N.A.

601 PENN STREET
READING, PA 19601

☐ Monthly cure payment:

4. In the event of Default:

☒ Should the Debtors fail to make any of the above captioned payments, or if any regular monthly mortgage payment commencing after the cure of the post petition delinquency is more than thirty (30) days late, counsel shall file a Certification of Default with the Court, a copy of the Certification shall be sent to the Chapter 13 Trustee, the Debtors, and Debtors' attorney and the court shall enter an Order granting relief from the Automatic Stay

☒ In the event the Debtors converts to a Chapter 7 during the pendency of this bankruptcy case, the Debtors shall cure all arrears within ten (10) days from the date of conversion in order to bring the loan contractually current. Should the Debtors fail to bring the loan contractually current, counsel shall file a Certification of Default with the Court, a copy of the Certification shall be sent to the Chapter 13 Trustee, the Debtors, and Debtors' attorney and the court shall enter an Order granting relief from the Automatic Stay

☒ This agreed order survives any loan modification agreed to and executed during the instant bankruptcy. If any regular mortgage payment due after the execution of a loan modification is more than thirty (30) days late, counsel shall file a Certification of Default with the Court, a copy of the Certification shall be sent to the Chapter 13 Trustee, the Debtors, and Debtors' attorney and the court shall enter an Order granting relief from the Automatic Stay

5. Award of Attorneys' Fees:

☐ The Applicant is awarded attorneys fees of \$_____, and costs of \$_____.

The fees and costs are payable:

☐ Through the Chapter 13 plan. These fees/costs shall be set up as a separate claim to be paid by the Standing Trustee and shall be paid as an administrative claim.

☐ to the Secured Creditor within _____ days.

☐ Attorneys' fees are not awarded.

6. This Agreed Order survives any loan modification agreed to and executed during the instant bankruptcy.

Imaged Certificate of Notice Page 5 of 6

United States Bankruptcy Court
District of New JerseyIn re:
Juroma Properties, LLC
Toz-Bel, LLC
DebtorsCase No. 16-17985-VFP
Chapter 11**CERTIFICATE OF NOTICE**

District/off: 0312-2

User: admin
Form ID: pdf903Page 1 of 2
Total Noticed: 3

Date Rcvd: Apr 26, 2017

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Apr 28, 2017.

db	+Juroma Properties, LLC,	81 Manchester Place,	Newark, NJ 07104-1703
db	+Toz-Bel, LLC,	14 Belmont Avenue,	Belleville, NJ 07109-1014
aty	+Scura, Mealey, Wigfield & Heyer,	1599 Hamburg Turnpike,	Wayne, NJ 07470-4093

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
NONE. TOTAL: 0

***** BYPASSED RECIPIENTS (undeliverable, * duplicate) *****

cr*	+Toz-Bel, LLC,	14 Belmont Avenue,	Belleville, NJ 07109-1014
intp*	+Toz-Bel, LLC,	14 Belmont Avenue,	Belleville, NJ 07109-1014

TOTALS: 0, * 2, ## 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.**Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.**

Date: Apr 28, 2017

Signature: /s/Joseph Speetjens**CM/ECF NOTICE OF ELECTRONIC FILING**

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on April 26, 2017 at the address(es) listed below:

Adam D. Greenberg on behalf of Creditor PFS Financial 1, LLC agreenberg@hgllclaw.com, Aholmes@hgllclaw.com

Anthony Sodono, III on behalf of Debtor Toz-Bel, LLC asodono@trenklawfirm.com

Anthony Sodono, III on behalf of Attorney Trenk DiPasquale Della Fera & Sodono, P.C. asodono@trenklawfirm.com

Anthony Sodono, III on behalf of Attorney Trenk DiPasquale Della Fera & Sodono, PC asodono@trenklawfirm.com

Anthony Sodono, III on behalf of Interested Party Toz-Bel, LLC asodono@trenklawfirm.com

Anthony Sodono, III on behalf of Creditor Toz-Bel, LLC asodono@trenklawfirm.com

Cassandra C. Norgaard on behalf of Creditor Tozzo Belmont Inc. cnorgaard@norgaardfirm.com, sferreira@norgaardfirm.com;crose@norgaardfirm.com;184grandno@gmail.com

David E. Sklar on behalf of Debtor Juroma Properties, LLC dsklar@scuramealey.com, ecfbkfilings@scuramealey.com;cbalala@scuramealey.com;ascolavino@scuramealey.com

David L. Stevens on behalf of Debtor Juroma Properties, LLC dstevens@scuramealey.com, cbalala@scuramealey.com;ecfbkfilings@scuramealey.com;dsklar@scuramealey.com;ascolavino@scuramealey.com

Denise E. Carlson on behalf of Creditor Toyota Motor Credit Corporation dcarlton@kmlawgroup.com, bkggroup@kmlawgroup.com

Francesca Ann Arcure on behalf of Creditor Toyota Motor Credit Corporation nj_ecf_notices@buckleymadole.com

James Patrick Shay on behalf of Creditor WELLS FARGO BANK, NA james.shay@phelanhallinan.com

John O'Boyle on behalf of Creditor Tozzo Belmont Inc. joboyle@norgaardfirm.com, sferreira@norgaardfirm.com;crose@norgaardfirm.com;184grandno@gmail.com

John O'Boyle on behalf of Attorney Norgaard O'Boyle joboyle@norgaardfirm.com, sferreira@norgaardfirm.com;crose@norgaardfirm.com;184grandno@gmail.com

John J. Scura, III on behalf of Debtor Juroma Properties, LLC jscura@scuramealey.com, cbalala@scuramealey.com;ecfbkfilings@scuramealey.com;ascolavino@scuramealey.com;dsklar@scuramealey.com

John J. Scura, III on behalf of Interested Party Juroma Properties, LLC jscura@scuramealey.com, cbalala@scuramealey.com;ecfbkfilings@scuramealey.com;ascolavino@scuramealey.com;dsklar@scuramealey.com

John Philip Schneider on behalf of Creditor WELLS FARGO BANK, NA nj.bkecf@fedphe.com

John R. Morton, Jr. on behalf of Creditor Ally Financial mortonlaw.bcraig@verizon.net, tfitz@mortoncraig.com;mhazlett@mortoncraig.com

John R. Morton, Jr. on behalf of Creditor Wells Fargo Bank, N.A., d/b/a Wells Fargo Dealer Services mortonlaw.bcraig@verizon.net, tfitz@mortoncraig.com;mhazlett@mortoncraig.com

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User: admin
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Page 2 of 2
Total Noticed: 3

Date Rcvd: Apr 26, 2017

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system (continued)

Joseph M. Shapiro on behalf of Debtor Julio B. Maldonado jshapiro@middlebrookssshapiro.com
Joseph M. Shapiro on behalf of Creditor Rosa I. Chacon Molina jshapiro@middlebrookssshapiro.com
Joseph M. Shapiro on behalf of Creditor Julio B. Maldonado jshapiro@middlebrookssshapiro.com
Joseph M. Shapiro on behalf of Joint Debtor Rosa I. Chacon Molina
jshapiro@middlebrookssshapiro.com
Karl J. Norgaard on behalf of Creditor Tozzo Belmont Inc. knorgaard@norgaardfirm.com,
sferreira@norgaardfirm.com;crose@norgaardfirm.com;l84grandno@gmail.com
Melinda D. Middlebrooks on behalf of Interested Party Rosa I. Chacon Molina
middlebrooks@middlebrookssshapiro.com, melindamiddlebrooks@gmail.com
Melinda D. Middlebrooks on behalf of Debtor Julio B. Maldonado
middlebrooks@middlebrookssshapiro.com, melindamiddlebrooks@gmail.com
Melinda D. Middlebrooks on behalf of Joint Debtor Rosa I. Chacon Molina
middlebrooks@middlebrookssshapiro.com, melindamiddlebrooks@gmail.com
Melinda D. Middlebrooks on behalf of Interested Party Julio B. Maldonado
middlebrooks@middlebrookssshapiro.com, melindamiddlebrooks@gmail.com
Michael E. Blaine on behalf of Creditor LakeView Loan Servicing, LLC
mblaine@schillerknapp.com, tshariff@ecf.courtdrive.com;tshariff@schillerknapp.com
Michael E. Blaine on behalf of Creditor Lakeview Loan Servicing LLC, by its servicing agent
M&T Bank mblaine@schillerknapp.com, tshariff@ecf.courtdrive.com;tshariff@schillerknapp.com
Michael Frederick Dingerdissen on behalf of Creditor WELLS FARGO BANK, NA nj.bkecf@fedphe.com
Nicholas V. Rogers on behalf of Creditor WELLS FARGO BANK, NA nj.bkecf@fedphe.com
Robert P. Saltzman on behalf of Creditor Nationstar Mortgage LLC dnj@pbslaw.org
Sari Blair Placona on behalf of Creditor Toz-Bel, LLC splacona@trenklawfirm.com
Sari Blair Placona on behalf of Debtor Toz-Bel, LLC splacona@trenklawfirm.com
Steven P. Kelly on behalf of Creditor Nationstar Mortgage LLC skelly@sterneisenberg.com,
bkecf@sterneisenberg.com
U.S. Trustee. USTPRegion03.NE.ECF@usdoj.gov

TOTAL: 37